

### REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-62 are presently active in this case, Claims 1 and 35 having been amended by way of the present Amendment.

In the outstanding Official Action, Claims 1-17, 21, 22, 25-29, 31-40, 42, 43, 47, 48, and 50-62 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-61 of copending Application Ser. No. 09/867,549. The obviousness-type double patenting rejection is currently provisional, since no allowed subject matter has been identified. The Applicants note that the claims of the present application and the copending application differ in scope. The Applicants will address this issue further once the rejection is no longer provisional upon the indication of allowable subject matter.

Claims 1-4, 9, 13, 16-20, 22-24, 32, 35, 41-44, 46-48, 51, 57, 58, and 61 were rejected under 35 U.S.C. 102(b) as being anticipated by Janssen et al. (U.S. Patent No. 5,570,444). Claims 5-8, 10, 14, 15, 28, 29, 36-39, 50, 53-56, 60, and 62 were rejected under 35 U.S.C. 103(a) as being unpatentable over Janssen et al. in view of Yoshino (U.S. Patent No. 5,924,290). Claims 21, 25-27, 30, 31, 34, 40, 45, and 49 were rejected under 35 U.S.C. 103(a) as being unpatentable over Janssen et al. Claims 11, 12, 33, 52, and 59 were rejected under 35 U.S.C. 103(a) as being unpatentable over Janssen et al. in view of Miki et al. (U.S. Patent No. 6,094,515). For the reasons discussed below, the Applicants request the withdrawal of the anticipation and obviousness rejections

Claim 1 of the present application recites a laser diode module comprising a base including a structural support member configured to prevent warping of the base. The structural support member is elongated along the base in a direction generally parallel to an optical axis. Claim 35 of the present application recites a semiconductor laser diode module comprising a warping preventing means for preventing warping of a base is provided on the base and is elongated in a direction generally parallel to an optical axis on at least one side of an optical system. The Applicants respectfully submit that the Janssen et al. reference does not disclose or suggest a structural support member or a warping preventing means that is elongated in a direction generally parallel to an optical axis, as recited in Claims 1 and 35, respectively. By having the structural support member or warping preventing means being elongated in a direction generally parallel to the optical axis, the structural support member or warping preventing means will provide the base with added rigidity along the length thereof.

The Janssen et al. reference describes a method of optically coupling optical fibers to injection lasers. The Official Action cites the slide members (8) for the teaching of the structural support members of the present invention. However, contrary to the present invention, the slide members (8) are elongated in a direction perpendicular to the axis of the optical fiber (4), as is clearly evident from a review of Figure 3. Accordingly, the Janssen et al. reference does not disclose or suggest a structural support member or a warping preventing means that is elongated in a direction generally parallel to an optical axis, as recited in Claims 1 and 35, respectively. Therefore, the substrate (2) of the Janssen et al. reference is susceptible to warpage along an axis perpendicular to the axis of optical fiber (4).

Furthermore, the Applicants respectfully submit that the Janssen et al. reference does not disclose or suggest the base recited in Claim 1. The Official Action cites blocks (9) as the

base and cites substrate (2) as the bottom plate. The Applicants submit that the blocks (9) cannot be cited as the base, since the base defined in Claim 1 of the present application is configured to support the laser diode and at least a portion of the optical system. However, the blocks (9) are not configured to support the laser (3) of the Janssen et al. reference in any manner. The Applicants further submit that substrate (2) of the Janssen et al. reference should not be cited for the teaching of a base, since then no feature exists for a teaching of the bottom plate, which is recited as a separate feature in Claim 1 of the present application.

The Applicants respectfully submit that the Janssen et al. reference does not disclose or suggest the base recited in Claim 35. The Official Action initially cites blocks (9) as the base and cites substrate (2) as the bottom plate. The Applicants submit that the blocks (9) cannot be cited as the base, since the base defined in Claim 35 of the present application is configured to support fastening means and a laser diode. However, the blocks (9) are not configured to support the laser (3) of the Janssen et al. reference in any manner. The Applicants further submit that substrate (2) of the Janssen et al. reference should not be cited for the teaching of a base, since then no feature exists for a teaching of the bottom plate, which is recited as a separate feature in Claim 35 of the present application.

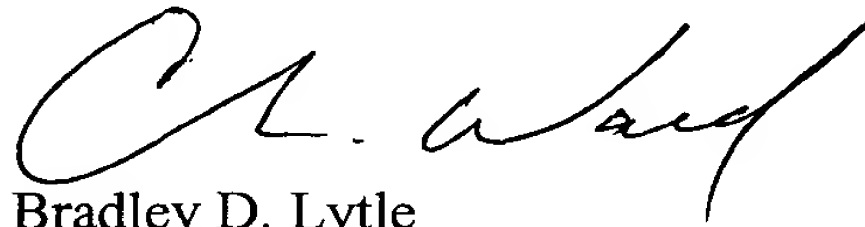
Accordingly, the Applicants respectfully request the withdrawal of the anticipation rejection of Claims 1 and 35.

Claims 2-34 and 36-62 are considered allowable for the reasons advanced for Claims 1 and 35 from which they depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed, taught, nor suggested by the applied references when those features are considered within the context of Claims 1 and 35.

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

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IN THE CLAIMS

1. (Once Amended) A laser diode module comprising:

a laser diode;

an optical system including an optical fiber and a lens portion, said optical system being configured to receive and transmit a beam emitted from said laser diode through said lens portion to said optical fiber along an optical axis;

a base configured to support said laser diode and at least a portion of said optical system, said base including a structural support member configured to prevent warping of said base, said structural support member [extending] being elongated along said base in a direction generally parallel to said optical axis; and

a bottom plate configured to support said laser diode, said optical system, and said base.

35. (Once Amended) A semiconductor laser diode module comprising:

a laser diode;

an optical system including an optical fiber and a lens portion, said optical system being configured to receive and transmit a beam emitted from said laser diode through said lens portion to said optical fiber along an optical axis;

a fastening means for supporting at least a portion of said optical system;

a base configured to support said fastening means and said laser diode; and

a bottom plate configured to support said laser diode, said optical system, said fastening means, and said base,

wherein a warping preventing means for preventing warping of said base is provided on said base and being elongated in a direction generally parallel to said optical axis on at least one side of said optical system.